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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

MELINDA SURRENCY,

Plaintiff,

vs.

PERFORMANT RECOVERY, INC., a
California corporation,

Defendants.

Case No.

NOTICE OF REMOVAL

Please take notice that Defendant, Performant Recovery, Inc., a California corporation (Performant), hereby removes this action from the Multnomah County Circuit Court in Oregon to the United States District Court for the District of Oregon, Case No. 1211-13962.

1. The state court action was commenced when Plaintiff filed her Amended Complaint with the Multnomah County Circuit Court Clerk on November 7, 2012 and the summons and amended complaint was served on Performant on December 7, 2012. A copy of the summons and complaint received by Performant on December 7, 2012 is

attached hereto. Performant has filed no pleadings in this action. This notice of removal is filed within 30 days after service of process on Performant.

2. This is an action of civil nature over which this court has original jurisdiction pursuant to 15 USC § 1692k in that it is a liability allegedly created under the Fair Debt Collection Practices Act, 15 USC § 1692 et seq.

3. This notice of removal is signed pursuant to FRCP 11.

Dated: January 3, 2013.

/s/John P. Davenport

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

MELINDA SURRENCEY, vs. PERFORMANT RECOVERY, INC., a California corporation, Defendants.	Plaintiff, MAILING DECLARATION	Case No. _____ _____ _____
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The undersigned makes this Declaration on Defendant Performant Recovery, Inc., a California corporation's behalf.

I certify that I mailed a copy of the Notice of Removal of the above Action to the Plaintiff c/o Kirsten Baxter, Baxter & Baxter LLP, 8835 SW Canyon Lane, Suite 130, Portland, Oregon 97225, postage prepaid, on January 3, 2013.

I declare under penalty of perjury under the laws of the State of Oregon that the foregoing is true and correct.

Dated January 3, 2013 at Portland, Oregon.

DAVENPORT & HASSON, LLP

s/ John P. Davenport
John P. Davenport, OSB #750880
Attorneys for Defendant